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SECONDARY DWELLING UNITS

Application Guide

WHAT IS A SECONDARY DWELLING UNIT?

The zoning ordinance defines a secondary dwelling unit as an attached or detached dwelling unit that is located on a single lot with another, primary dwelling unit and provides complete facilities for independent living for one or more persons. These facilities include permanent provisions for living, sleeping, cooking and sanitation on the same parcel as the primary dwelling unit (currently the City does not allow a detached second dwelling unit).

A secondary dwelling unit requires a zoning permit. In reviewing a zoning permit application, the Zoning Administrator will ensure compliance with design and development standards as identified in the Zoning Ordinance.

WHAT ARE THE SPECIFIC REVIEW CRITERIA FOR THE ZONING PERMIT?

The Zoning Ordinance requires the Zoning Administrator to ensure the proposed secondary dwelling unit complies with the following:

Design and development standards

- a. A secondary dwelling unit shall be within or attached to the primary structure with a common wall, and shall not exceed 640 square feet in size, nor be less than 160 square feet.
- b. A secondary dwelling unit shall comply with the development regulations contained in the Zoning Ordinance including but not limited to regulations for yards, building height, stories, lot coverage, and floor area ratio for the zoning district in which it is located.
- c. A secondary dwelling unit shall include no more than 1 bedroom, 1 living room, 1 kitchen, 1 bathroom, and laundry and storage facilities.
- d. The exterior design shall be in harmony with the immediate neighborhood. Building materials, colors and exterior finished should match the same as those on the existing dwelling.

- e. Outside access to the second dwelling unit shall be located or screened so as not to be visible from the abutting street.

Parking - A minimum of 3 independently accessible, off-street parking spaces shall be required for a lot containing a secondary dwelling unit. At least 2 of the parking spaces shall be covered. One of the spaces shall serve the secondary dwelling unit. Tandem parking spaces may not be used to meet the minimum parking requirements.

Nonconforming units – If the existing dwelling unit is a legally nonconforming unit, a second dwelling unit may be constructed only if the nonconformity is not expanded and the second dwelling unit meets all current applicable zoning and building standards.

No subdivision - No subdivision of land or air rights is authorized that would result in the second dwelling unit being located on a separate lot.

Occupancy - The owner of a parcel containing a secondary dwelling unit shall occupy either the primary or the secondary dwelling unit. The city shall require recordation of a deed restriction providing for this requirement before issuance of the building permit.

Preexisting units - A secondary dwelling unit constructed or converted without a building permit before adoption of the city's second dwelling unit regulations (effective October, 1983) must obtain a building or code compliance permit and zoning permit to legalize the use.

One unit - There shall not be more than one secondary dwelling unit on any parcel.

City-Wide Design Guidelines – The secondary dwelling unit, shall substantially conform with City-Wide Design Guidelines, which requires high-quality design, compatibility with the existing structure and the neighborhood. Residential Design Guidelines can be reviewed on the City website or at the Planning Division at City Hall.

WHAT ARE THE STEPS?

Step 1 Preliminary Review - Prior to submittal of a formal application, it is recommended that the applicant discuss the preliminary proposal with staff. The staff can, if requested, respond back in writing regarding the project conformity with the Zoning Ordinance, environmental and neighborhood concerns which may be involved, applicable site planning, building design, landscaping, and other criteria.

Step 2 Filing the Application - Application for a zoning permit should be made on the Planning Division's Application for Development Review form. The application form must be accompanied by the additional supporting materials specified by the Planning Division, including plans, drawings, and other project description information necessary to permit adequate review of the proposed action. There is no filing fee for a zoning permit

A Planning Division staff member will be assigned to review the application materials for completeness. Additional information may be required as staff review

of the project progresses.

Step 3 Environmental Review - Because the secondary dwelling unit provisions in the zoning ordinance only apply to property zoned for single-family use, all applications are typically considered to be exempt from environmental review (Exemption Classification 15303), although under special circumstances further evaluation can be required.

Step 4 Building Permit Issuance - After 10 days have elapsed from Zoning Administrator approval, whichever is later, and all application approval requirements and related ordinances have been satisfied, the City's Chief Building Official may issue a Building Permit for the project if one is required. As part of the building permit process a secondary dwelling unit may need a separate water meter, sewer connection and other related improvements. The Chief Building Official will then work with you to ensure that the project is completed in compliance with all permits, approved plans and related conditions.

WHAT MUST BE SUBMITTED?

All submittal information required in the General Submittal Requirements Checklist must be provided to the Planning Division, including the Application for Development Review form and related fees, before the application can be accepted as complete.

MAY A DECISION BE APPEALED?

You or anyone else who is dissatisfied with the decision of the Zoning Administrator may appeal that decision to the Planning Commission. To appeal, a written statement, and filing fee, must be filed with the Planning Division within 10 days after the decision is made at a public meeting. A public hearing will then be set before the Planning Commission to consider the appeal. If no appeal to a decision is filed within 10 days, the decision will be considered final.